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## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING **REJECTION OVER A "PRIOR" PATENT**

04/18/2005 01 FC:1814 Docket Number (Optional) CS01-111

1.50 01

In re Application of: Ho, V., et al	
Application No.: 10/676,896	
Filed: 10/01/03	
For: Process To Manufacture Nonvolatile MOS Memory Device	
The owner*, <u>Chartered Semiconductor Manufacturing Ltd.</u> , of <u>100</u> percent interest in the instant application hereby disclared as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend be the expiration date of the full statutory term <b>prior patent No.</b> <u>6.656,792 B2</u> as the term of said <b>prior patent</b> is defined in 35 U.S.C. and 173, and as the term of said <b>prior patent</b> is presently shortened by any terminal disclaimer. The owner hereby agrees that any pater granted on the instant application shall be enforceable only for and during such period that it and the <b>prior patent</b> are commonly owned. agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.	yond . 154 nt so
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:  expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;	
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the lik made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.	e so
2. The undersigned is an attorney or agent of record. Reg. No. 37,761	
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Stephen B. Ackerman	
Typed or printed name 6HASSEN1 00000003 190033 10676896	
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Terminal disclaimer fee under 37 CFR 1.20(d) included.	
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*Statement_under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).	

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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